

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 17, 1999
SAN FRANCISCO, CALIFORNIA**

S074946 Duane E. Bechtel, Appellant
4th Dist. v.
E021720 City of Beaumont, Respondent
Div. 2 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Johnson v. City of Loma Linda*, S074261 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S074951 People, Respondent
2nd Dist. v.
B113624 Aldo Hernandez, Appellant
Div. 7 Appellant's petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S075083 People, Respondent

2nd Dist. v.

B114485 Curtis Biddle, Appellant

Div. 3 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Allen*, S070028 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

S075090 People, Respondent

2nd Dist. v.

B115359 Otis Michael Thomas, Appellant

Div. 3 Appellant's petition for review GRANTED.

George, C.J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

S075153 People, Respondent
3rd Dist. v.
C027614 Joseph Gonzales, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Tameka C.*, S068192 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Mosk, J., is of the opinion briefing should not be deferred.

George, C.J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S075158 People, Respondent
6th Dist. v.
H017022 Wayne Andrew Whitworth, Appellant

Petitions for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Allen*, S054125 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

S075171 In re Lac Vinh Du on Habeas Corpus

2nd Dist. -----

B110122 People, Respondent

B120896 v.

Div. 5 Lac Vinh Du et al., Appellants

Petitions for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Metters*, S069442 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

S075232 People, Respondent

1st Dist. v.

A079808 Damani Collins, Appellant

4th Dist. Appellant's petition for review GRANTED.

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

S068576 In re David R. Harbans
 on
 Habeas Corpus

The Director of Corrections is ordered to show cause before the Contra Costa County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to relief based on his allegation that counsel's ineffective assistance caused him to reject a favorable plea bargain. (See *In re Alvernaz* (1992) 2 Cal.4th 924.) The return shall be filed on or before March 19, 1999.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

2nd Dist. County of San Luis Obispo, Petitioner
B125901 v.
Div. 6 Workers' Compensation Appeals Board, Respondent
S075547 Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its order denying review and to remand the case to the Workers' Compensation Appeals Board for reconsideration in light of *State Comp. Ins. Fund v. Workers' Comp. Appeals Bd.* (1998) 18 Cal.4th 1209 and *Avalon Bay Foods v. Workers' Comp. Appeals Bd.* (1998) 18 Cal.4th 1165.

George, C.J.
Werdegar, J.
Chin, J.
Brown, J.

4th Dist. People, Respondent

E021166 v.

Div. 2 Gabriel Louis Hernandez, Appellant

S075045 Appellant's petition for review GRANTED.

The cause is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *Idaho v. Wright* (1990) 497 U.S. 805.

George, C.J.

Kennard, J.

Chin, J.

Brown, J.

4th Dist. First Financial Insurance Company, Petitioner

E023666 v.

Div. 2 Riverside County Superior Court, Respondent

S075319 46th District Agricultural Association et al., Real Parties in Interest
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its order of dismissal, place the matter on calendar and reconsider the timeliness of the petition for writ of mandate.

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Chin, J.

Brown, J.

- S065021 Jabes Salgado et al., Appellants
2nd Dist. v.
B085845 County of Los Angeles et al., Appellants
Div. 4 Petition for rehearing DENIED.
 Opinion modified.
- S053418 Salvador Calvillo-Silva et al., Appellants
1st Dist. v.
A065066 Home Grocery et al., Respondents
Div. 2 Petition for rehearing and request for modification of the opinion
 DENIED.
 Kennard, J., is of the opinion the petition should be granted.
- S074781 Edward Carl Good, Petitioner
 v.
 State Bar of California, Respondent
 Petition for writ of review DENIED.
 Mosk, J., is of the opinion the petition should be granted.
- S075809 California Association of Retail Tobacconists et al., Petitioners
 v.
 Gray Davis et al., Respondents
 Application for stay and petition for writ of mandate DENIED.
- S076325 C. Russell King, Petitioner
 v.
 Court of Appeal Second Appellate Dist., Division Six, Respondent
 James L. Gilkison, Real Party in Interest
 Application for stay and petition for writ of mandate DENIED.
- S042650 In re Darren Charles Williams
 on
 Habeas Corpus
 The application for release of copies of habeas corpus petition
 and supporting materials in related case, filed January 29, 1999, is
 denied.

S062244 In re Antonio Espinoza
 on
 Habeas Corpus

The petition for writ of habeas corpus is denied on the merits. In addition, the following claims are denied for procedural reasons:

Claims II; III; IV; VI; VII; IX; subclaim 4 (request for dictionary) of claim I; subclaims F.1, F.2, F.3, F.4, F.6, and F.7 of claim V; and claim XII to the extent it rests on facts alleged in the previously enumerated claims and subclaims, are procedurally barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770; *In re Clark* (1993) 5 Cal.4th 750.)

To the extent that subclaim F.1 of claim V is based on the Eighth and Fourteenth Amendments to the federal Constitution, it is procedurally barred because it was raised and rejected on appeal. (*In re Harris* (1993) 5 Cal.4th 813, 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

The remainder of subclaim F.1 and subclaims F. 2 and F.3 of claim V; subclaim 4 of claim I; and claims II and III are procedurally barred on the ground that they could have been but were not raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

Claim III is procedurally barred because it was not preserved in the trial court. (*People v. Williams* (1997) 16 Cal.4th 635, 667; *People v. Kirkpatrick* (1994) 7 Cal.4th 988, 1005.)

Mosk, J., is of the opinion an order to show cause should issue.

S072411 In re Bernard Lee Hamilton
 on
 Habeas Corpus

Petition for writ of habeas corpus is denied on the merits. In addition, it is barred on procedural grounds as untimely (see *In re Robbins*, (1998) 18 Cal.4th 770; *In re Clark* (1993) 5 Cal.4th 750) and successive (see *In re Robbins, supra*, 18 Cal.4th 770; *In re Clark, supra*, 5 Cal.4th 750; *In re Horowitz* (1949) 33 Cal.2d 534).

Mosk, J., and Brown, J., would deny the petition solely on the merits.

S065541 In re Keith Anthony Somers
 on
 Habeas Corpus

Petition for writ of habeas corpus DENIED.

S067056 In re Jose H. Ortiz-Sandoval
 on
 Habeas Corpus
 Petition for writ of habeas corpus DENIED.

S071058 In re Michael D. Duncan
 on
 Habeas Corpus
 Petition for writ of habeas corpus DENIED.

1st Dist. People, Respondent
A074016 v.
Div. 1 Samuel G. Eldredge, Appellant
S075258 Appellant's petition for review DENIED.

1st Dist. Richard F. Evangelho et al., Respondents
A076882 v.
A077532 Darlene T. Presoto, Appellant
Div. 4 Appellant's petition for review DENIED.
S075177 Mosk, J., Kennard, J., and Baxter, J., are of the opinion the
 petition should be granted.
 The request for an order directing depublication of the opinion is
 DENIED.

1st Dist. People, Respondent
A076980 v.
Div. 2 Dwight McCullough, Appellant
S075064 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A077200 v.
Div. 5 Althor Cain, Appellant
S075952 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A078283 v.
Div. 5 Armando Nicholas Williams, Appellant
S075808 Appellant's petition for review DENIED.

1st Dist. A078375 Div. 5 S074965	People, Respondent v. Donivan Dewayne Hokett, Appellant Appellant's petition for review DENIED.
1st Dist. A078620 Div. 3 S075722	Norcal Mutual Insurance Company, Respondent v. Valerie Jean Adams et al., Appellants Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
1st Dist. A078771 Div. 5 S075224	James P. Botz, Respondent v. Alan Gregory Wonderwheel, Appellant Appellant's petitions for review DENIED.
1st Dist. A079329 A082896 Div. 5 S075186	In re Daniel Louis Troy on Habeas Corpus ----- People, Respondent v. Daniel Louis Troy, Appellant Appellant's petition for review DENIED.
1st Dist. A079473 Div. 1 S075852	People, Respondent v. Aurelio Montoya, Appellant Appellant's petition for review DENIED.
1st Dist. A079496 Div. 2 S075209	People, Respondent v. James Paul Belcher, Appellant Appellant's petition for review DENIED.
1st Dist. A079500 Div. 3 S075753	People, Respondent v. Richard Johnson, Appellant Appellant's petition for review DENIED.

1st Dist. A079787 Div. 1 S075906	People, Respondent v. Robert Lee Johnson, Appellant Appellant's petition for review DENIED.
1st Dist. A079932 Div. 1 S075756	Ruth Pullman, Appellant v. Mortensen's Carpets Incorporated et al., Respondents Appellant's petition for review DENIED.
1st Dist. A080259 Div. 3 S075919	Ballena Bay Townhouse Association No. 1, Inc., Respondent v. Ian A.P. Roger et al., Appellants Appellant's petition for review DENIED.
1st Dist. A080363 Div. 3 S075880	Tong Park, Appellant v. County of San Mateo et al., Respondents Appellant's petition for review DENIED.
1st Dist. A080794 Div. 1 S075866	People, Respondent v. Timothy Lee Forney, Appellant Appellant's petition for review DENIED.
1st Dist. A081276 Div. 1 S075711	Alan D. Liker et al., Appellants v. Bank of America, Respondent Appellants' petition for review DENIED. Baxter, J., and Chin, J., did not participate.
1st Dist. A081484 Div. 1 S075850	People, Respondent v. Edwin James MacCaskie, Appellant Petition for review DENIED.
1st Dist. A081624 Div. 4 S075248	Diane L. Sangster, Appellant v. Tyler M. Paetkau et al., Respondents Appellant's petition for review DENIED.

1st Dist. A082129 Div. 4 S075855	City of Livermore, Respondent v. Lynn Guy Carson, Appellant Petition for review DENIED.
1st Dist. A082456 A082547 Div. 3 S075783	Estate of Charles F. Humphreys, Deceased ----- Walter Slater, as Receiver, etc., Appellant v. Julia M. Humphreys, as Special Administrator, etc., Respondent Petition for review DENIED.
1st Dist. A084560 Div. 2 S075770	Frank Zeidan, Appellant v. Steven E. Littman et al., Respondents Appellant's petition for review DENIED.
1st Dist. A084955 Div. 2 S075882	In re Elgin Keith Mosby on Habeas Corpus Petition for review DENIED on the merits.
1st Dist. A085035 Div. 4 S075818	Fred Leon Jackson Jr., Petitioner v. Alameda County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
1st Dist. A085207 Div. 2 S075772	In re Charles Franklin on Habeas Corpus Petition for review DENIED.
2nd Dist. B083034 B092240 Div. 3 S075846	City of Los Angeles, Appellant v. Burbank-Glendale-Pasadena Airport Authority, Respondent Appellant's petition for review DENIED.

2nd Dist. United Commercial Corporation, Appellant
B096958 v.
Div. 1 Linda S. Kaufman, Appellant
S075195 Appellant's petition for review DENIED.

2nd Dist. Mark Webb, Appellant
B100720 v.
Div. 7 State of California Department of Rehabilitation et al., Respondents
S075769 Appellant's petition for review DENIED.

2nd Dist. Nicole Kallas, Appellant
B104294 v.
Div. 3 City of Los Angeles Dept. of Water & Power, Respondent
S075916 Appellant's petition for review DENIED.

2nd Dist. James W. Quan et al., Appellants
B110711 v.
Div. 2 Truck Insurance Exchange, Respondent
S075073 Appellants' petition for review DENIED.
The requests for an order directing depublication of the opinion
are DENIED.

2nd Dist. People, Respondent
B110993 v.
Div. 5 David Bradvica, Appellant
S075044 Appellant's petition for review DENIED.

2nd Dist. Pacifica Beach Development Limited Partnership, Appellant
B111665 v.
Div. 3 City of Santa Monica, Respondent
S075620 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B111779 v.
Div. 1 Louie P. Brash et al., Appellants
S074970 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent
B112509 v.
Div. 7 David Eugene Hollins, Appellant
S075121 Petitions for review DENIED.

2nd Dist. People, Respondent
B112806 v.
Div. 4 Jarrod Lee O'Neal, Appellant
S075867 Appellant's petition for review DENIED.

2nd Dist. Michael Mai Nguyen et al., Appellants
B113221 v.
Div. 2 20th Century Insurance Company, Respondent
S075201 Respondent's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed November 6, 1998, which appears at 67 Cal.App.4th 828. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
Mosk, J., is of the view the opinion should remain published.

2nd Dist. People, Respondent
B113981 v.
Div. 6 Aaron Renard Brock, Appellant
S075737 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B114291 v.
Div. 3 Michael Barrow, Appellant
S075742 Appellant's petition for review DENIED.

2nd Dist. In re Carlos L., a Person Coming Under the Juvenile Court Law
B114575 -----
Div. 4 People, Respondent
S075817 v.
Carlos L., Appellant
Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B114837 v.
Div. 4 Mario C. Lopez, Appellant
S075212 Appellant's petition for review DENIED.

2nd Dist. B114846 Div. 3 S075055	People, Respondent v. Winston Lee Bragg, Appellant Appellant's petition for review DENIED.
2nd Dist. B114897 Div. 7 S075760	People, Respondent v. Curtis A. MacKenzie, Appellant Appellant's petition for review DENIED.
2nd Dist. B115218 Div. 1 S075901	People, Respondent v. Alfred Washington, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B115372 Div. 2 S075845	Sol Kest, Appellant v. Times Mirror Company et al., Respondents Petition for review DENIED.
2nd Dist. B115437 Div. 4 S075698	Juda Alszeh et al., Appellants v. Home Box Office et al., Respondents Petition for review DENIED.
2nd Dist. B115471 Div. 6 S075918	Arsen Marsoobian et al., Appellants v. Highland Federal Bank et al., Respondents Appellants' petition for review DENIED.
2nd Dist. B115758 Div. 2 S074991	People, Respondent v. Juan D. Hernandez, Appellant Appellant's petition for review DENIED.
2nd Dist. B116268 Div. 4 S075765	People, Respondent v. Ronald Lee Feise, Appellant Appellant's petition for review DENIED.

2nd Dist. City of Burbank, Appellant
B116971 v.
Div. 4 Burbank Glendale Pasadena Airport Authority, Respondent
S075511 Respondent's petition for review DENIED.
Request for judicial notice denied.

2nd Dist. Nira Schwartz et al., Appellants
B117285 v.
Div. 6 Black & Decker Corporation et al., Respondents
S075854 Petition for review DENIED.

2nd Dist. People, Appellant
B117524 v.
Div. 6 Douglas Muelder, Respondent
S075812 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B117664 v.
Div. 7 Rodrell Charles Castine, Appellant
S075735 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B117735 v.
Div. 3 Eduardo Nicholas Gomez, Appellant
S075813 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118161 v.
Div. 2 Donald L. Hughes, Appellant
S075907 Appellant's petition for review DENIED.

2nd Dist. Robert Hopps, Appellant
B118210 v.
Div. 6 Regents of the University of California, Respondent
S075801 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118491 v.
Div. 5 Cesar M. Herrera, Appellant
S075425 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118615 v.
Div. 1 Raymond Hind, Appellant
S075856 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118746 v.
Div. 5 Lance L. Jernigan, Appellant
S075832 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118850 v.
Div. 7 Leonard Pizzaro, Appellant
S075774 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118874 v.
Div. 6 Travis Walters, Appellant
S075930 Appellant's petition for review DENIED.

2nd Dist. Lillian McCain, Appellant
B118950 v.
Div. 7 Franchise Tax Board, Respondent
S075705 Appellant's petition for review DENIED.
Baxter, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B119003 v.
Div. 2 Donte Morris, Appellant
S075800 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119026 v.
Div. 2 Sherell Antonio Butler, Appellant
S075743 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B120112 v.
Div. 5 Jason Robert Boman, Appellant
S075941 Appellant's petition for review DENIED.

2nd Dist. Shawn Meehan, Appellant
B120179 v.
Div. 1 Howard Leight Industries et al., Respondents
S075649 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B121117 v.
Div. 5 Roderick Ladale English, Appellant
S075349 Appellant's petition for review DENIED.

2nd Dist. Aspasia Stacey Karapanos, Appellant
B121281 v.
Div. 1 Bally Total Fitness Corporation et al., Respondents
S075889 Appellant's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.
Brown, J., did not participate.

2nd Dist. People, Respondent
B121477 v.
Div. 2 Errol Dale Frazier, Appellant
B076051 Appellant's petition for review DENIED.

2nd Dist. William F. Escher, Jr., Appellant
B121576 v.
Div. 2 Pomona First Federal Bank & Trust et al., Respondents
S075849 Petition for review DENIED.

2nd Dist. Fred Williams, Appellant
B121586 v.
Div. 7 County of Los Angeles Civil Service Commission, Respondent
S075636 Kola Ogundipe, Real Party in Interest
Appellant's petition for review DENIED.

2nd Dist. Huell Howser, Appellant
B123336 v.
Div. 7 City of Long Beach, Respondent
S074472 Appellant's petition for review DENIED.

2nd Dist. Pifen Lo et al., Petitioners
B124427 v.
Div. 1 Los Angeles County Superior Court, Respondent
S075509 County of Los Angeles, Real Party in Interest
Real Party in Interest's petition for review DENIED.
Baxter, J., is of the opinion the petition should be granted.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed November 13, 1998, which appears at 67 Cal.App.4th 1045.
(Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. In the Matter of Elbony P., a Minor
B124599 -----
Div. 4 Elvis P., Petitioner
S075523 v.
Los Angeles County Superior Court, Respondent
Petition for review DENIED.
Kennard, J., and Werdegarr, J., are of the opinion the petition
should be granted.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed November 23, 1998, which appears at 67 Cal.App.4th 1363.
(Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. In re Ashley, Robert and Daniel T. et al., Minors
B124710 -----
Div. 7 Robert T., Petitioner
S075723 v.
Los Angeles County Superior Court, Respondent
Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed November 24, 1998, which appears at 67 Cal.App.4th 1472.
(Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. A. Todd Hindin et al., Appellants
B124816 v.
Div. 7 Edward B. Rust Jr., Respondent
S075870 Respondent's petition for review DENIED.

2nd Dist. Charlie Shephard, Petitioner
B126130 v.
Div. 1 Los Angeles County Sheriff's Department et al., Respondents
S075282 Petition for review DENIED.

2nd Dist. City of Glendale, Petitioner
B126904 v.
Div. 5 Los Angeles County Superior Court, Respondent
S075405 Kenneth P. Adams, Real Party in Interest
Petition for review DENIED.

2nd Dist. Republic Indemnity Company of California et al., Petitioners
B126910 v.
Div. 5 Los Angeles County Superior Court, Respondent
S075570 L.A. Airline Inc., Real Party in Interest
Petition for review and request for judicial notice DENIED.

2nd Dist. In re Luis Renteria
B126994 on
Div. 7 Habeas Corpus
S074996 Petition for review DENIED.

2nd Dist. Arnon Mozez, Petitioner
B127145 v.
Div. 2 Los Angeles County Superior Court, Respondent
S075911 Michael Mozes, Real Party in Interest
Petition for review DENIED.

2nd Dist. First Federal Bank of California, Petitioner
B127176 v.
Div. 3 Connie Schultz, Real Party in Interest
S075837 Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. Superior National Insurance Company, Petitioner
B127331 v.
Div. 2 Los Angeles County Superior Court, Respondent
S076331 Post Sound Corporation, Real Party in Interest
Application for stay and petition for review DENIED.

2nd Dist. Torrance Memorial Medical Center, Petitioner
B127357 v.
Div. 2 Workers' Compensation Appeals Board, Respondent
S075900 Vickie Di Gioia, Respondent
Petition for review DENIED.

2nd Dist. Bella International Limited, Petitioner
B127370 v.
Div. 4 Los Angeles County Superior Court, Respondent
S075779 Astian International Incorporated, Real Party in Interest
Petition for review DENIED.

2nd Dist. In re Jesmine Johnson
B127494 on
Div. 2 Habeas Corpus
S075878 Petition for review DENIED.

2nd Dist. David Peck, Petitioner
B127618 v.
Div. 7 Los Angeles County Superior Court, Respondent
S075433 Aaron Adler, Real Party in Interest
Application for stay and petition for review DENIED.

3rd Dist. People, Respondent
C022497 v.
S075063 Gary Contreras et al., Appellants
Appellants' petitions for review DENIED.

3rd Dist. Anthony Haywood, Respondent
C023763 v.
S075747 American River Fire Protection District, Appellant
Respondent's petition for review DENIED.

3rd Dist. People, Respondent
C024672 v.
S075567 Gregory Lee Rand Jr., Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C025465 v.
S075915 Charles Cory Lewis, Appellant
Appellant's petition for review DENIED.

3rd Dist. Raul Gutierrez, Sr., Appellant
C025544 v.
S075787 County of Sacramento, Respondent
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C025607 v.
S075334 David Allen Couch et al., Appellants
Appellants' petitions for review DENIED.

3rd Dist. People, Respondent
C026311 v.
S075221 Charles Earl Granderson, Appellant
Appellant's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C026363 v.
S075843 Richard Lee Muniz, Appellant
Appellant's petitions for review DENIED.

3rd Dist. People, Respondent
C026467 v.
S075002 Russell David Baxter, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C026629 v.
S075256 Michael Eugene Vielbig, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C026869 v.
S075931 Gregorio Sosa-Olivares, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C027194 v.
S075017 Derik James Brock, Appellant
Appellant's petition for review DENIED.

3rd Dist. Sonnen Motor Co. II Incorporated et al., Respondents
C028153 v.
S075393 New Motor Vehicle Board, Appellant
Lexux Incorporated, Real Party in Interest
Petition for review DENIED.
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

3rd Dist. James Robert Courshon, Jr., Appellant
C028453 v.
S075804 Tahoe City Public Utility District et al., Respondents
Respondents' petition for review DENIED.

3rd Dist. People, Respondent
C028802 v.
S075926 Mark Equinoa, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C029022 v.
S075805 Sheldon Ray Newsome, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. In re Anthony D., a Person Coming Under the Juvenile Court Law
C029357 -----
S075927 People, Respondent
v.
Anthony D., Appellant
Appellant's petition for review DENIED.

3rd Dist. Joel Clark, Petitioner
C030651 v.
S075678 Workers' Compensation Appeals Board, Respondent
Petition for review DENIED.

3rd Dist. Linda Lee Mason-Neubarth, Petitioner
C030892 v.
S075653 Workers' Compensation Appeals Board et al., Respondents
Petition for review DENIED.

3rd Dist. In re Arthur R. Anderson
C031018 on
S075014 Habeas Corpus
Petition for review DENIED.

3rd Dist. Edwin O. Desilva, Petitioner
C031324 v.
S075777 Sacramento County Superior Court, Respondent
Oakland Raiders et al., Real Parties in Interest
Petition for review DENIED.

3rd Dist. In re Heath E. Cain
C031325 on
S075604 Habeas Corpus
Petition for review DENIED.

3rd Dist. Dock McNeely, Petitioner
C031514 v.
S076328 Sacramento County Superior Court, Respondent
People, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. Linda F. Crouse et al., Appellants
D025143 v.
D026136 Brobeck Phleger & Harrison et al., Respondents
Div. 1 Petition for review DENIED.
S075806

4th Dist. People, Respondent
D026988 v.
Div. 1 Jason Albritton, Appellant
S075015 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027600 v.
Div. 1 Obed Valenzuela Murrieta, Appellant
S075026 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027733 v.
Div. 1 Jose Manuel Arroyo et al., Appellants
S075939 Appellants' petition for review DENIED.

4th Dist. People, Respondent
D028195 v.
Div. 1 Daniel Delmar Moriarty, Appellant
S075152 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D028205 v.
Div. 1 Steven C. White, Appellant
S075360 Appellant's petition for review DENIED.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed November 6, 1998, which appears at 67 Cal.App.4th 828. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

Werdegar, J., and Brown, J., are of the view the opinion should remain published.

4th Dist. D028325 D031651 Div. 1 S075027	In re Juan Zarco on Habeas Corpus ----- People, Respondent v. Juan Zarco, Appellant Appellant's petition for review DENIED.
4th Dist. D029030 Div. 1 S075912	People, Respondent v. Benito Arellanes, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. D029067 Div. 1 S075392	People, Respondent v. Samuel Sumlin, Appellant Appellant's petition for review DENIED.
4th Dist. D029110 Div. 1 S075097	People, Respondent v. James John Burke, Appellant Appellant's petition for review DENIED.
4th Dist. D029246 Div. 1 S075104	People, Respondent v. Gino Sevacos, Appellant Appellant's petition for review DENIED.
4th Dist. D029353 Div. 1 S075969	In re Julio V., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Julio V., Appellant Petition for review DENIED.
4th Dist. D029421 Div. 1 S075668	Harry G. Cooper, etc., Appellant v. A G Land Associates et al., Respondents Petition for review DENIED.

4th Dist. Pala Band of Mission Indians, Appellant
D029489 v.
Div. 1 County of San Diego, Respondent
S075670 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D029552 v.
Div. 1 Robert Cota, Appellant
S075796 Appellant's petition for review DENIED.

4th Dist. In re Anthony M., a Person Coming Under the Juvenile Court Law
D029647 -----
Div. 1 People, Respondent
S075328 v.
Anthony M., Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
D029831 v.
Div. 1 Timothy Earl Harwell, Appellant
S075873 Appellant's petition for review DENIED.

4th Dist. In re Anatoliy B., a Person Coming Under the Juvenile Court Law
D030294 -----
Div. 1 People, Respondent
S075844 v.
Anatoliy B., Appellant
Petition for review DENIED.

4th Dist. People, Respondent
D030418 v.
Div. 1 Taba Karron Herbert, Appellant
S076056 Appellant's petition for review DENIED.

4th Dist. Robbie Lambert, Respondent
E018260 v.
Div. 2 General Motors, Appellant
S075663 Respondent's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. Johnnie Koval et al, Respondents
E018762 v.
Div. 2 City of Fontana et al., Appellants
S075614 Respondents' petition for review DENIED.

4th Dist. People, Respondent
E019265 v.
Div. 2 Steven A. Thomas, Appellant
S075110 Appellant's petition for review DENIED.

4th Dist. Brian S. Deam, Appellant
E019613 v.
Div. 2 County of San Bernardino et al., Respondents
S075498 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020772 v.
Div. 2 Brett Charles Cagley, Appellant
S075902 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021055 v.
Div. 2 Kirk Brandy Lozolla, Appellant
S075940 Appellant's petition for review DENIED.

4th Dist. John P. Mazich et al., Respondents
E021294 v.
Div. 2 K. Martin White, Appellant
S075658 Appellants' petition for review DENIED.

4th Dist. Teresa G. Pierce, Appellant
E021680 v.
Div. 2 John A. Larch, Respondent
S075913 Appellant's petition for review DENIED.

4th Dist. In re David Cruz Gonzales Jr.
E023239 on
Div. 2 Habeas Corpus
S075345 Petition for review DENIED.

4th Dist. G017700 G018009 Div. 3 S075868	Miguel Ferraro et al., Appellants v. City of Buena Park, Respondent And Companion Case Petition for review DENIED.
4th Dist. G019177 Div. 3 S075831	People, Respondent v. Rudy Vibangco Terrenal, Appellant Appellant's petition for review DENIED.
4th Dist. G019368 Div. 3 S075835	Paul J. Scott et al., Appellants v. Homestead Insurance Company et al., Respondents Appellants' petition for review DENIED.
4th Dist. G020395 Div. 3 S075771	James Martin et al, Respondents v. J. Bradford Fisher, Appellant Petition for review DENIED.
4th Dist. G020559 Div. 3 S075239	People, Respondent v. Salvador Castrejon, Appellant Appellant's petition for review DENIED.
4th Dist. Div. 3 G020626 S075741	People, Respondent v. Leonard King, Appellant Appellant's petition for review DENIED.
4th Dist. G020831 Div. 3 S075130	People, Respondent v. Elliot Harris, Appellant Appellant's petition for review DENIED.
4th Dist. G021070 Div. 3 S075883	People, Respondent v. Bobby Isaac Lawrie, Appellant Appellant's petition for review DENIED.

4th Dist. G021223 Div. 3 S075909	People, Respondent v. David Hernandez Moreno, Appellant Appellant's petition for review DENIED.
4th Dist. G021252 Div. 3 S075357	People, Respondent v. Cuong Thai Hoang, Appellant Appellant's petition for review DENIED.
4th Dist. G021740 Div. 3 S075903	People, Respondent v. Stanley Laverne Reffner, Appellant Appellant's petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
4th Dist. G023417 Div. 3 S073509	In re the Marriage of Dilday ----- Donna Ray Dilday, Appellant v. Thomas Emery Dilday, Respondent Petition for review DENIED.
4th Dist. G024379 Div. 3 S075564	Mauricio Fernandez, Petitioner v. Orange County Superior Court Appellate Department, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. G024380 Div. 3 S075572	John Bloch Jensen, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. G024416 Div. 3 S075767	Andrew Willis, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.

4th Dist. City of Dana Point, Petitioner
G024542 v.
Div. 3 Orange County Superior Court, Respondent
S076305 Headlands Reserve LLC et al., Real Parties in Interest
Application for stay and petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

4th Dist. Rebecca Boyle, Petitioner
G024605 v.
Div. 3 Orange County Superior Court, Respondent
S076033 People, Real Party in Interest
Application for stay and petition for review DENIED.

5th Dist. People, Respondent
F023722 v.
S075192 William Dee McIntosh, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025880 v.
F027306 Annette Gaylene Batten, Appellant
S075062 Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026259 v.
S075156 Willie Goodman, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026418 v.
S075857 Jose Juarez Sr., Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F027941 v.
S075886 Jerry Wayne Rose, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F028782 v.
S075728 Robert Dean Stanfill, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029036 v.
S075807 Robert James Stanford, Appellant
Appellant's petition for review DENIED.

5th Dist. In re Richard Loaiza on Habeas Corpus
F029280 -----
F030056 People, Respondent
S075841 v.
Richard Loaiza, Appellant
Appellant's petition for review DENIED.

5th Dist. In re Monalisa O., a Person Coming Under the Juvenile Court Law
F029310 -----
S075408 People, Respondent
v.
Monalisa O., Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029459 v.
S076003 Samuel Rueda Flores, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029873 v.
S075828 Buck Eugene Plumlee, Appellant
Appellant's petition for review DENIED.

5th Dist. In re Adrian P., a Person Coming Under the Juvenile Court Law
F031770 -----
S075791 Fresno County Department of Social Services, Respondent
v.
Linda H., Appellant
Appellant's petition for review DENIED.

5th Dist. Ashok Jhaveri, Appellant
F031902 v.
S075894 Jim Ray Muro, Respondent
Appellant's petition for review DENIED.

5th Dist. Stan Dobbs et al., Petitioners
F032319 v.
S075964 Stanislaus County Superior Court, Respondent
John G. Booker et al., Real Parties in Interest
Petition for review DENIED.

6th Dist. In re David Matthew Kenny on Habeas Corpus
H015928 -----
H018851 People, Respondent
S075948 v.
David Matthew Kenny, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015970 v.
S074658 Jason Michael Crippen, Appellant
Appellant's petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

6th Dist. Ronald P. Smyser et al., Appellants
H016978 v.
S075851 Carl E. Berg et al., Respondents
Appellants' petition for review DENIED.

6th Dist. People, Respondent
H017185 v.
S075084 Roderick Bernard Boddie, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H017208 v.
S074983 Longino Mora, Appellant
Appellant's petition for review DENIED.

- 6th Dist. Barbara J. Sauret, Appellant
H017774 v.
S075853 James Roy Gillham, Respondent
Petition for review DENIED.
- 6th Dist. Taco Bell Corporation, Petitioner
H019429 v.
S075874 Santa Clara County Superior Court, Respondent
Mohsin Mynaf, Real Party in Interest
Petition for review DENIED.
- 4th Dist. G.E. Engine Maintenance/Electric Insurance, Petitioner
E021529 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S074855 The Reporter of Decisions is directed to publish the opinion in
the above-entitled case in the Official Reports. (See rule 976(d) and
rule 978(c), California Rules of Court.)
- 4th Dist. Travelers Indemnity Company of Illinois, Appellant
E020531 v.
Div. 2 City of Redlands Redevelopment Agency, Respondent
S075080 The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed October 19, 1998, which appears at 67 Cal.App.4th 762. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 2nd Dist. Ted Watson, Appellant
B106172 v.
Div. 4 Candace Fisher et al., Respondents
S075114 The request for an order directing publication of the opinion in
the above-entitled is DENIED.
- 2nd Dist. Paul Bynum et al., Appellants
B113099 v.
Div. 5 Wells Fargo Bank, Respondent
S075277 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
Baxter, J., did not participate.

- 2nd Dist. Presbyterian Intercommunity Hospital, Respondent
B114868 v.
Div. 7 Department of Health Services State of California, Appellant
S075473 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- 2nd Dist. Donald Wager, Appellant
B120650 v.
Div. 5 Samuel Mirzayance et al., Respondents
S075515 The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.
- 2nd Dist. Jose A. et al., Petitioners
B123594 v.
Div. 2 Los Angeles County Superior Court, Respondent
S075700 Los Angeles Dept. of Children & Family Svcs., Real Party in Interest
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- 3rd Dist. Dean Falltrick, Appellant
C025629 v.
S075068 Equitable Life Assurance Society of the U.S., Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- 3rd Dist. Darlys A. Souza, Appellant
C026449 v.
S075095 Public Employees' Retirement System, Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.
- 3rd Dist. Willard Witherspoon, Respondent
C028804 v.
S075350 Sutter County et al., Appellants
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. Steve Coniglio, Respondent

G020053 v.

Div. 3 Foothill High School et al., Appellants

S075317 Kimberly Belshe, Appellant

The request for an order directing publication of the opinion in the above entitled cause is DENIED.

6th Dist. Silvia Jovel, Respondent

H016587 v.

S075814 Rafael Jovel, Appellant

Bayview Federal Savings and Loan Association et al., Respondents

The request for an order directing publication of the opinion in the above entitled cause is DENIED.

2nd Dist. People, Respondent

B118464 v.

Div. 5 Rothwell Shawn Simpson, Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including March 18, 1999, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A068753/S055552 Sandra L. Badie et al. v. Bank of America - March 12, 1999.

A075423/S075603 Odelia S. Braun v. Bureau of State Audits et al. - March 24, 1999.

A076964/S075573 Syntex Corporation et al. v. Lowsley-Williams and Companies et al. - March 19, 1999.

A081983/S075443 People v. Phillip R. Smith, Jr. - March 19, 1999.

B103212/S075534 Anthony Bizakis v. Alexander Haagen III; Zurich American Insurance Company - March 23, 1999.

- B110417/S070271 People v. Jimmy Dale Lawrence - March 24, 1999.
- B110963/S075469 People v. Girard Lamont Moody - March 19, 1999.
- B111480/S075346 In re Sait L., a Person Coming Under the Juvenile Court Law; People v. Sait L. - March 19, 1999.
- B113156/S075402 People v. Javier E. Martinez et al. - March 19, 1999.
- B113514/S075587 People v. Edmund Y. Chein - March 23, 1999.
- B115617/S075455 People v. Robert Alves et al. - March 19, 1999.
- B116907/S075530 People v. Larry G. Turner - March 23, 1999.
- B125203/S075453 Yong S. Kim v. Workers' Compensation Appeals Board et al. - March 19, 1999.
- B126490/S075484 In re Azalea Mingura on Habeas Corpus - March 19, 1999.
- B127527/S075464 In re Raphael Cabrera on Habeas Corpus - March 19, 1999.
- C024949/S075507 People v. Charles Rosales - March 22, 1999.
- C029353/S075575 Leon Aaron Driss v. State Medical Board - March 24, 1999.
- C030897/S075540 Karen J. Kearney v. Workers' Compensation Appeals Board et al. - March 19, 1999.
- C030988/S075559 Nathaniel Allen Jr. et al. v. Sacramento County Superior Court; Aerojet-General Corporation et al., RPIs - March 23, 1999.
- D027415/S075541 People v. Joseph E. Thompson - March 23, 1999.
- D028071/S075524 People v. James Lewis Singleton - March 19, 1999.
- D028407/S075510 In re Adrian J. Scott on Habeas Corpus; People v. Adrian Jon Scott - March 22, 1999.

- D029148/S075545 People v. Farhad Robert Tyabji - March 19, 1999.
- D030508/S075335 In re Carlos Tomas Garcia on Habeas Corpus - March 19, 1999.
- D030969/S075529 In re Farhad Robert Tyabji on Habeas Corpus - March 19, 1999.
- E019988/S075502 People v. Robert Benjamin Regalado - March 22, 1999.
- E02064/A075478 People v. Michael Lewis Beamon - March 19, 1999.
- F027351/S075615 People v. John Stephen Warren - March 24, 1999.
- H016445/S075568 In re Michael A. McCord on Habeas Corpus; People v. Michael A. McCord; And Companion Case - March 24, 1999.
- H016488/S075513 People v. Barry Orlanders Parham - March 22, 1999.

S073723 In re Murrand R. Ranzon
on
Habeas Corpus
On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including February 25, 1999.

S045982 People, Respondent
v.
Johnny Avila, Jr., Appellant
Upon request of appellant for appointment of counsel, Mark E. Cutler is hereby appointed to represent Johnny Avila, Jr., for the direct appeal in the above automatic appeal now pending in this court.

S046176 People, Respondent

v.

Glen Cornwell, Appellant

Attorney Robert Derham, previously appointed to represent appellant for the direct appeal in the above automatic appeal now pending in this court, is hereby appointed to represent appellant Glen Cornwell for habeas corpus/executive clemency proceedings related to the automatic appeal.

S055024 In the Matter of Suspension of Attorneys

Pursuant to Rule 962, California Rules of Court

Joseph Paul Michael Angelo, #59086, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **Joseph Paul Michael Angelo, #59086**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **March 19, 1999**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.